

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

CLAUDIA ARIAS,

Plaintiff,

v.

UNIVERSITY OF WASHINGTON  
TACOMA et al.,

Defendant.

CASE NO. 3:25-cv-05079-DGE

ORDER GRANTING MOTION TO  
SEAL

This matter is before the Court on Defendants’ renewed motion to seal an exhibit attached to Defendants Notice of Removal. (Dkt. No. 17; *see also* Dkt. Nos. 9, 14.) Defendants contend they inadvertently attached an unredacted copy of an email between defense counsel discussing this matter, which Defendants assert is a privileged communication. (Dkt. No. 17 at 2–3.) Plaintiff did not respond to Defendants’ motion to seal.


“There is a strong presumption of public access to the court’s files.” LCR5(g). However, the presumption “is not absolute and can be overridden given sufficiently compelling reasons for doing so.” *Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1135 (9th Cir. 2003). In

1 making such determination, courts consider the “public interest in understanding the judicial  
2 process and whether disclosure of the material could result in improper use of the material for  
3 scandalous or libelous purposes or infringement upon trade secrets.” *Hagestad v. Tragesser*, 49  
4 F.3d 1430, 1434 (9th Cir. 1995); *Foltz*, 331 F.3d at 1135. “The public interest in accessing the  
5 courts does not outweigh the compelling need to honor the attorney-client privilege.” *Specialty*  
6 *Surplus Ins. Co. v. Lexington Ins. Co.*, No. C06-5246 RJB, 2007 WL 2404703, at \*18 (W.D.  
7 Wash. Aug. 17, 2007).

8 Here, Defendants ask the Court to seal Dkt. No. 1-3 because the emails therein contain  
9 privileged and confidential information. (Dkt. No. 17 at 4.) The email thread contains emails  
10 between Dr. Ndura’s counsel and defense counsel, and individual defendant Keva Miller and her  
11 counsel. (Dkt. No. 1-3.) These emails appear to be confidential and the Court will deem them to  
12 be privileged communication between counsel and their clients prepared in anticipation of  
13 litigation. Weighing Defendants’ interests against the public interest in disclosure, the Court  
14 determines that Defendants have demonstrated a compelling reason to protect the emails  
15 contained in Dkt. No. 1-3 from disclosure. *See Specialty Surplus Ins. Co.*, 2007 WL 2404703, at  
16 \*18.

17 Thus, having considered the motion, the rest of the file, and the governing law, the Court  
18 GRANTS the motion to seal. The Court DIRECTS the Clerk to seal Dkt. No. 1-3.

19 Dated this 22nd day of April, 2025.

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23 David G. Estudillo  
24 United States District Judge